

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

THOMAS L. WHITTY,

Civil No. C06-5237RBL

Plaintiff,

VS.

JO ANNE B. BARNHART,  
Commissioner of Social Security,

## ORDER FOR REMAND

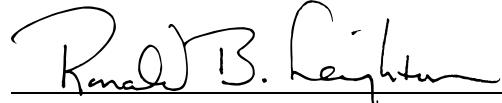
### Defendant

Based on the stipulation of the parties it is hereby ORDERED that the above-captioned case be remanded for further administrative proceedings. On remand, the Administrative Law Judge (ALJ) will obtain medical expert testimony to assist in determining the severity of Plaintiff's impairments and the materiality of his substance abuse disorder. The ALJ will re-evaluate Plaintiff's mental impairments and assess his functional limitations using the special technique provided in the regulations. The ALJ will re-evaluate the medical source opinions of Russell M. Bragg, Ph.D., Bruce J. Tapper, Ph.D., and Richard J. VanCalcar, M.D. The ALJ will re-evaluate Plaintiff's credibility and lay witness testimony, and reassess Plaintiff's residual

1 functional capacity. If necessary, the ALJ will obtain vocational expert testimony to determine  
2 whether Plaintiff can perform his past relevant work or other work.  
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4 This case is reversed and remanded on the above grounds pursuant to sentence four of  
5 42 U.S.C. § 405(g), and Plaintiff is entitled to reasonable attorney's fees and costs pursuant to  
6 28 U.S.C. § 2412(d), upon proper request to this Court.  
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8 DATED this 4<sup>th</sup> day of Octpber. 2006  
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12 RONALD B. LEIGHTON  
13 UNITED STATES DISTRICT JUDGE  
14

15 Recommended for Entry:  
16

17 /s/ J. Kelley Arnold  
18 UNITED STATES MAGISTRATE JUDGE  
19

20 Presented by:  
21

22 s/ CAROL A. HOCH WSB # 9289  
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